



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

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In re Patent Application of

Atty Dkt.: 39-257

C# M#

FERGUSON, Mark W.J.

TC/A.U.: 1647

Serial No. 10/082,221

Examiner: Landsman, R.

Filed: February 26, 2002

Date: November 3, 2004

Title: PHARMACEUTICAL COMPOSITION CONTAINING IL-10

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s). (\$ 340.00 ) \$ 340.00

☐ An appeal **BRIEF** is attached in the pending appeal of the above-identified application (\$ 340.00) \$

☐ Credit for fees paid in prior appeal without decision on merits -\$ ( )

☐ A reply brief is attached in triplicate under Rule 41.41 (no fee)

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months; \$1530.00/4 months) \$ 430.00

**SUBTOTAL** \$ 770.00

☒ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract -\$ ( 385.00)

☐ "Small entity" statement attached.

**SUBTOTAL** \$ 385.00

Less month extension previously paid on -\$ ( 0.00)

**TOTAL FEE ENCLOSED** \$ 385.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

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01 FC:2401 170.00 OP  
02 FC:2252 215.00 OP